



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael Bristow et al.

Serial No.: 09/558,472

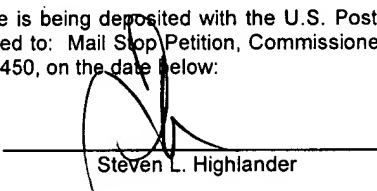
Filed: April 25, 2000

For: DIAGNOSIS AND TREATMENT OF
MYOCARDIAL FAILURE

Group Art Unit: 1632

Examiner: Ram R. Shukla

Atty. Dkt. No.: MYOG:004USD1/SLH

CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
April 18, 2006 Date	 Steven L. Highlander

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully files this Petition to Revive of Unintentionally Abandoned Application under 37 C.F.R. § 1.137(b). The above-referenced application was unintentionally abandoned.

Applicant's failed to file a one-month Extension of Time with the filing of the Notice of Appeal on August 9, 2004, wherein application became abandoned for failure to timely file a proper reply to the Office Communication mailed on March 19, 2004. Attached hereto are copies of the Notice of Appeal filed on August 9, 2004 (wherein it states - If the check is

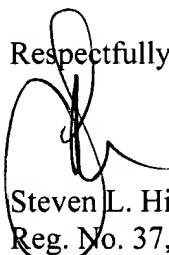
inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/MYOG:004USD1/SLH); Appeal Brief filed on November 12, 2004 wherein we noted the wrong application serial no. so the Appeal Brief was never matched up to the this file) and Petition for Extension of Time Under 37 CFR § 1.136(a). Enclosed herewith is a check in the amount of \$1,830.00 which covers the following fees –Petition to Revive Unintentionally Abandoned Application \$1,500.00; Appeal Brief \$500.00, minus \$170.00 paid for Appeal Brief filed on November 10, 2004.

The entire delay in filing the required documents was unintentional.

In view of the above, Applicant respectfully submits that the requirements of 37 C.F.R. § 1.137(b) have been met and request that this petition be granted.

While it is believed that no additional fees under 37 C.F.R. §§ 1.16 to 1.21 are occasioned by the filing of this petition, should the Commissioner determine otherwise, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/MYOG:004USD1/SLH.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642
Attorney for Applicant

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Austin, Texas 78701
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Date: April 18, 2006